

COMMITTEE ON WATER AND SANITATION
(Standing Committee of Berkeley County Council)

Chairman: Mr. Steve C. Davis, District No. 8

A **meeting** of the **COMMITTEE ON WATER AND SANITATION**, Standing Committee of Berkeley County Council, was held on **Monday, August 9, 2004**, in the Assembly Room of the Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina, at 8:17 p.m.

PRESENT: Mr. Steve C. Davis, Council Member District No. 8, Chairman; Mrs. Judith K. Spooner, Council Member District No. 2; Mr. William E. Crosby, Council Member District No. 3; Mr. Dennis L. Fish, Council Member District No. 5; Mr. Caldwell Pinckney, Jr., Council Member District No. 7; Mr. James H. Rozier, Jr., Supervisor, ex officio; Mr. D. Mark Stokes, County Attorney; and Ms. Barbara B. Austin, Clerk of County Council. Mr. Milton Farley, Council Member District No. 1, Mr. Charles E. Davis, Council Member District No. 4, and Mrs. Judy C. Mims, Council Member District No. 6, were excused from this meeting.

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

During periods of discussion and/or presentations, minutes are typically condensed and paraphrased.

Chairman Steve Davis called the meeting to order and asked for approval of minutes from the Committee on Water and Sanitation Meeting held July 12, 2004.

APPROVAL OF MINUTES

It was moved by Council Member Pinckney and seconded by Council Member Crosby to approve the minutes as presented. This motion was passed by unanimous voice vote of the Committee.

EXECUTIVE SESSION

With no objection from the Committee, the night's Agenda was adjusted, wherein, the Executive Session was placed as the last Agenda item.

A. J. Marc Hehn, Director, Berkeley County Water and Sanitation Authority, Re:

1. Contract for Ground Lease Space with Cingular Wireless.

Mr. Marc Hehn stated that this pertained to the convenience center site. The lease was negotiated with 7,000 square feet for a total cost of \$8,800 per year with a five-year term. Renegotiations would take place at the end of five years.

It was moved by Council Member Crosby and seconded by Council Member Pinckney to approve the contract, as negotiated, for ground lease space with Cingular Wireless. The motion was passed by unanimous voice vote of the Committee.

2. Amendment to Solid Waste Contracts:
 - a. Composting Facility Improvements.
 - b. Municipal Solid Waste Expansion.
 - c. C&D Expansion.
 - d. LFG Control.

Mr. Hehn stated that in 1993, proposals were received from approximately twelve engineering companies. The County selected Camp Dresser & McKee, Inc., an engineering firm, to perform solid waste work; it has been doing that since 1993. It took seven years to permit the Landfill. Mr. Hehn recommended awarding the following projects to Camp Dresser & McKee:

- Composting facility improvements – a permit, required by DHEC, in the amount of \$30,100.
- A 57-acre expansion area for municipal solid waste disposal at Landfill, in the amount of \$136,726.
- C&D expansion at Landfill, in the amount of \$180,600
- Landfill gas (odor) control for design of a system for burning gas, in the amount of \$33,800.

It was moved by Council Member Pinckney and seconded by Council Member Spooner to approve the award of composting facility improvements (\$30,100), municipal solid waste expansion (\$136,726), C&D expansion (\$180,600), and LFG control project (\$33,800) to Camp Dresser & McKee. The motion was passed by unanimous voice vote of the Committee.

3. Amendment for Franchise Agreement with the Town of Jamestown.

Mr. Hehn stated the Town of Jamestown applied for a grant, but it had not yet been approved.

Supervisor Rozier stated that it was his understanding that County Council's approval was needed before the Town of Jamestown could move forward with a grant.

Mr. Hehn stated a letter was sent to the Town of Jamestown to assist in moving forward with the application for a grant, which had to be submitted by July 23rd.

It was moved by Council Member Spooner and seconded by Council Member Pinckney to approve the process of amending the Franchise Agreement with the Town of Jamestown, dated August, 1999. The motion was passed by unanimous voice vote of the Committee.

4. Amendment to Solid Waste Regulations

Mr. Hehn stated this amendment pertained to solid waste collection at convenience centers, and he introduced Mr. Mark Schlievert, Deputy Director of Solid Waste.

Mr. Mark Schlievert informed the Committee of the problem being encountered with oversized vehicles entering the convenience center with debris. The proposed amendment would not allow anything larger than a half-ton pick-up truck or lawnmower-type trailer. Anything over a half-ton pick-up sized truck would use the Landfill, versus a convenience center. At the Landfill, the first 1,000 pounds of debris would be dumped at no charge, along with a tipping fee being required for anything over that 1,000 pounds.

It was moved by Council Member Pinckney and seconded by Council Member Spooner to approve an amendment to the Solid Waste Regulations, which would restrict the size of vehicles discarding debris at convenience centers and require a tipping fee at the Landfill for debris over 1,000 pounds. The vote resulted in a tie. Chairman Steve Davis voted "Aye" to break the tie.

B. Consideration prior to First Reading of the following:

1. An ordinance to amend Chapter 65 of the Code of Ordinances, Berkeley County, South Carolina, to provide for the regulation of the use of public and private water distribution systems and wastewater collection, treatment, and disposal and providing penalties for violations thereof.

Mr. Hehn informed the Committee that this proposed ordinance pertained to the 250-lot rule. Currently, it is at 250 lots at 75 percent of development. The amendment would be 150 lots at 50 percent.

It was moved by Council Member Fish and seconded by Council Member Spooner to approve, prior to First Reading, an ordinance to amend Chapter 65 of the Code of Ordinances. The motion was passed by unanimous voice vote of the Committee.

2. An ordinance to establish a solid waste licensing system for solid waste collectors operating in Berkeley County and to provide penalties for violations thereof.

Mr. Hehn stated this ordinance would require a decal for all haulers collecting waste and discarding that waste at the Landfill. This decal would contain all ownership information.

It was moved by Council Member Spooner and seconded by Council Member Fish to approve, prior to First Reading, an ordinance to establish a solid waste licensing system. The motion was passed by unanimous voice vote of the Committee.

C. Review prior to Second Reading of Bill No. 04-61, an Ordinance authorizing Berkeley County, South Carolina, to execute and deliver an **equipment lease purchase agreement in the amount of not exceeding \$2,000,000.00 between the County and the Lessor thereof to defray the cost of acquiring certain equipment for use by the Berkeley County Water and Sanitation Authority; and other matters relating thereto.**

It was moved by Council Member Spooner and seconded by Council Member Fish to approve, prior to Second Reading, **Bill No. 04-61**. The motion was passed by unanimous voice vote of the Committee.

It was recommended that the Committee recess until conclusion of the Committee on Finance Meeting and Special Meeting of Council. With no objection, the Committee on Water and Sanitation entered into recess at 8:46 p.m., and reconvened at 8:51 p.m.

EXECUTIVE SESSION

It was moved by Council Member Spooner and seconded by Council Member Fish to enter into Executive Session to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the County; or the receipt of legal advice covered by the attorney-client privilege. The motion was passed by unanimous voice vote of the Committee.

The Committee on Water and Sanitation entered into Executive Session at 8:52 p.m., and returned to Committee Session at 9:14 p.m.

Mr. D. Mark Stokes reported that the Committee entered into Executive Session for the reasons stated in the motion. No formal action was taken.

It was moved by Council Member Spooner and seconded by Council Member Crosby to adjourn the Committee on Water and Sanitation Meeting. This motion was passed by unanimous voice vote of the Committee.

Meeting adjourned at 9:15 p.m.

09/13/04
Date Approved

COMMITTEE ON WATER AND SANITATION
(Standing Committee of Berkeley County Council)

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Members: Mr. Milton Farley, District No. 1
Mrs. Judith K. Spooner, District No. 2
Mr. William E. Crosby, District No. 3
Mr. Charles E. Davis, District No. 4
Mr. Dennis L. Fish, District No. 5
Mrs. Judy C. Mims, District No. 6
Mr. Caldwell Pinckney, Jr. District No. 7
Mr. James H. Rozier, Jr., Supervisor, ex officio

A **meeting** of the **COMMITTEE ON WATER AND SANITATION**, Standing Committee of Berkeley County Council, will be held on **Monday August 9, 2004**, in the Assembly Room, Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina, following the meeting of the Committee on Public Works and Purchasing, the Committee on Land Use, the Committee on Planning and Development, the Committee on Justice and Public Safety, and the Committee on Community Services at **6:00 p.m.**

A G E N D A

APPROVAL OF MINUTES

July 12, 2004

EXECUTIVE SESSION to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the county; or the receipt of legal advice covered by the attorney-client privilege.

A. J. Marc Hehn, Director, Berkeley County Water and Sanitation Authority, Re:

1. Contract for Ground Lease Space with Cingular Wireless.
2. Amendment to Solid Waste Contracts:
 - a. Composting Facility improvements.
 - b. Municipal Solid Waste Expansion.
 - c. C & D Expansion.
 - d. LFG control.
3. Amendment for Franchise Agreement with the Town of Jamestown.
4. Amendment to Solid Waste Regulations

B. Consideration prior to First Reading of the following:

1. An **ordinance** to amend **Chapter 65 of the Code of Ordinances**, Berkeley County, South Carolina, to provide for the regulation of the use of public and private water distribution systems and wastewater collection, treatment, and disposal and providing penalties for violations thereof.

2. An **ordinance** to **establish a solid waste licensing system** for solid waste collectors operating in Berkeley County and to provide penalties for violations thereof.

C. **Review** prior to **Second Reading** of Bill No. 04-61, an **Ordinance** authorizing Berkeley County, South Carolina, to execute and deliver an **equipment lease purchase agreement** in the amount of not exceeding \$2,000,000.00 between the County and the Lessor thereof to defray the cost of acquiring certain equipment for use by the Berkeley County Water and Sanitation Authority; and other matters relating thereto.

August 4, 2004
S/Barbara B. Austin
Clerk of County Council